

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re: EARLE D. MUNNS

Debtor.

Case No.: 11-10912-RGM

Chapter 7

BANK OF AMERICA, N.A.

Plaintiff

V.

Adversary No. 11-01255-RGM

EARLE D. MUNNS

a/k/a EARLE D. MUNNS, JR.

Defendant.

EXHIBIT LIST FOR BANK OF AMERICA

Exhibit No.	Identified	Admitted	Description
1.			Credit and Security Agreement dated as of June 30, 2008 by and between MB Security Corporation, AC Technology, Inc. and Bank of America
2.			Revolving Loan Note dated June 30, 2008 payable by AC Technology, Inc. and MB Security Corporation to the order of Bank of America
3.			Continuing and Unconditional Guaranty dated June 30, 2008 given by Earle D. Munns, Jr. in favor of Bank of America, N.A.
4.			May 5, 2008 e-mail from Fred S. Sheperd to Jessica Tencza transmitting Field Examination Report of AC Technology, Inc.

Exhibit No.	Identified	Admitted	Description
5.			June 16, 2008 e-mail from Earle Munns to Jessica Tencza and Diane B. Zanetti regarding terms of AC Technology, Inc. acquisition
6.			June 17, 2008 e-mail from Jessica Tencza to Yanlin Yin forwarding letter of intent dated June 14, 2008
7.			June 18, 2008 e-mail from Michael A. Byrd to Jessica Tencza, Diane B. Zanetti and Yanlin Yin attaching 2007 audited financial statements of AC Technology, Inc.
8.			June 18, 2008 e-mail from Earle Munns to Jessica Tencza and Michael Byrd regarding updated financial projections
9.			June 25, 2008 e-mail from Yanlin Yin to Jessica Tencza forwarding Earle Munns' executive bio
10.			June 26, 2008 e-mail from Chris Sands to Michael Byrd, Steve Britt and Earle Munns transmitting AC Technology A/R Aging Summary
11.			Conditional Personal Guaranty dated as of June 27, 2008 given by Earle D. Munns, Jr. in favor of Arrow Electronics, Inc.
12.			Credit Approval Report dated June 27, 2008
13.			June 27, 2008 e-mail from Terri Wolfley to Jessica Tencza and Yanlin Yin regarding Credit Approval Report
14.			June 27, 2008 e-mail from Christopher Sands to Michael Byrd and Earle Munns attaching AC Technology, Inc. A/R Aging Summary and A/P Aging Summary

Exhibit No.	Identified	Admitted	Description
15.			June 27, 2008 e-mail from Michael Byrd to Jessica Tencza, Yanlin Yin and Diane B. Zanetti submitting borrowing base certificate and AC Technology, Inc. A/R Aging Summary
16.			June 29, 2008 e-mail from Jessica Tencza to Nikolaus Schandlbauer and Steve Britt regarding recall of borrowing base certificate
17.			June 29, 2008 e-mail from Earle Munns to Diane B. Zanetti, Jessica Tencza and Yanlin Yin submitting borrowing base certificate and AC Technology, Inc. A/R Aging Summary
18.			June 29, 2008 e-mail from Christopher Sands to Earle Munns and Michael Byrd regarding terms of AC Technology, Inc. acquisition
19.			June 30, 2008 e-mail from Michael Byrd to Jessica Tencza and Yanlin Yin submitting borrowing base certificate
20.			June 30, 2008 e-mail from Christopher Sands to Michael Byrd and Earle Munns attaching AC Technology, Inc. A/R Aging Summary
21.			June 30, 2008 e-mail from Earle Munns to Jessica Tencza and Diane B. Zanetti regarding A/R Aging Summary and MOCA/Arrow financing
22.			June 30, 2008 e-mail from Steve Britt to Todd Whay regarding Stock Purchase Agreement
23.			June 30, 2008 e-mail from Steve Britt to Todd Whay and Chris Sands regarding Exhibit D to Stock Purchase Agreement
24.			June 30, 2008 e-mail from Steve Britt to Todd Whay and Chris Sands regarding pages 11 and 12 of Stock Purchase Agreement

Exhibit No.	Identified	Admitted	Description
25.			June 30, 2008 e-mail from Todd Whay to Steve Britt regarding execution of Stock Purchase Agreement
26.			June 30, 2008 e-mail from Steve Britt to ndysart@ltblaw.com and Todd Whay regarding pages 11 and 12 of Stock Purchase Agreement
27.			Unsigned Stock Purchase Agreement by and between MB Security Corporation, Christopher A. Sands and Arthur J. Sands
28.			Supplemental Conditional Personal Guaranty dated as of June 30, 2008 given by Earle D. Munns, Jr. in favor of Arrow Electronics, Inc.
29.			July 1, 2008 e-mail from Earle Munns to Steve Britt regarding post closing reporting package
30.			Security Agreement dated July 30, 2008 by AC Technology, Inc. in favor of Arrow Electronics, Inc. and UCC-1 Financing Statement
31.			August 8, 2008 e-mail from Steve Britt to Gordon Hunter and Earle Munns regarding terms of AC Technology, Inc. acquisition
32.			August 8, 2008 e-mail from Steve Britt to Gordon Hunter regarding Bank of America loan documents
33.			August 18, 2008 e-mail from Earle Munns to Gordon Hunter and Steve Britt regarding operations, note payable and Textron A/R
34.			Borrowing Base Certificate of AC Technology, Inc. for month ending August 31, 2008
35.			September 15, 2008 e-mail from Chris Sands to csands@cox.net transmitting AC Technology, Inc. Textron A/R Due spreadsheet

Exhibit No.	Identified	Admitted	Description
36.			Notice of Default and Reservation of Rights dated December 17, 2008
37.			January 23, 2009 e-mail from Catherine Gaddis to Michael Ritter transmitting AC Technology, Inc. 2008 General Ledger
38.			January 30, 2009 e-mail from Catherine Gaddis to Michael Ritter transmitting AC Technology, Inc. 2008 Profit & Loss Previous Year Comparison and 2008 Balance Sheet Previous Year Comparison
39.			Loan Modification Agreement dated as of February 18, 2009 by and between AC Technology, Inc., Earle D. Munns, Jr., Michael A. Byrd and Bank of America
40.			Cardinal Bank Statements for AC Technology, Inc. operating, expense and escrow accounts
41.			Certified copy of Consent Order (I) Entering Money Judgment, (II) Determining Non-Dischargeability of Debt and (III) Related Stipulation Regarding Limit of Enforcement entered on April 24, 2010 in the matter of <i>Bank of America, N.A. v. Michael Andrew Byrd</i> , Adv. No. 10-00179
42.			Interim Award of Arbitrator dated August 12, 2010
43.			Final Award of Arbitrator dated October 4, 2010
44.			Certified Copy of Consent Decree docketed by the Circuit Court for Fairfax County on January 7, 2011 in the matter of <i>Bank of America, N.A. v. Earle D. Munns, Jr., et al.</i> , Case No. CL 2010-16045
45.			Plaintiff's Rule 26(a)(2) Expert Report of Todd A. Feuerman, CPA, MBA

Exhibit No.	Identified	Admitted	Description
46.			Plaintiff's Rule 26(a)(2) Expert Report of Garrett M. Datz, MCSE, CCNA
47.			Earle D. Munns, Jr., Deposition Transcript Excerpts – February 24, 2010
48.			Arbitration Transcript Excerpts – April 19, 2010
49.			Christopher Sands Deposition Transcript Excerpts – February 2, 2011
50.			J. Stephen Britt, Deposition Transcript Excerpts – February 4, 2011
51.			Michael A. Byrd, Deposition Transcript Excerpts – February 8, 2011
52.			Earle D. Munns, Jr., Deposition Transcript Excerpts – March 11, 2011
53.			Amended Complaint to Determine Dischargeability of Debt (Doc. No. 22-1)
54.			Order Granting Partial Summary Judgment (Doc. No. 28)
55.			Answer to Amended Complaint to Determine Dischargeability of Debt (Doc. No. 36)
56.			Defendant Munns Response to Plaintiff's Interrogatories

Bank of America reserves the right to supplement this list with any documents that may be produced by the Defendant after the date of this filing that were previously withheld. Bank of America also reserves the right to use any exhibits identified in the Defendant's exhibit list or any exhibits to be used for impeachment. Moreover, Bank of America reserves the right to supplement this list as necessary and appropriate.

Bank of America, N.A.,

By: /s/ Anthony F. Vittoria
Counsel

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Counsel for Bank of America, N.A.

CERTIFICATE OF SERVICE

I certify that on the 5th day of April, 2012, (i) copies of the foregoing Exhibit List of Bank of America, N.A. were served on all parties on the Electronic Mail Notice List for this adversary proceeding, (ii) an original set and two copies of the pre-marked exhibits were sent by overnight delivery to the United States Bankruptcy Court Clerk's Office and (iii) copies of the pre-marked exhibits were served via overnight delivery on:

Richard G. Hall, Esquire
7369 McWhorter Place, Suite 412
Annandale, Virginia 22003

Counsel for the Defendant

/s/ Walter R. Kirkman

Walter R. Kirkman